

## Notice of Determination

**To:**  
Office of Planning and Research  
For U.S. Mail:  
P.O. Box 3044  
Sacramento, CA 95812-3044

*Street Address:*  
1400 Tenth Street  
Sacramento, CA 95814

**From:**  
Department of Fish and Wildlife  
Bay Delta Region  
2825 Cordelia Road, Suite 100  
Fairfield, CA 95434  
Contact: Amanda Culpepper  
Phone: (707) 428-2075



Lead Agency  
City of San Rafael, Department of Public Works  
111 Morphew Street  
San Rafael, CA 94901  
Contact: Hunter Young  
Phone: (415) 485-3408

**SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108**

**State Clearinghouse Number:** 2017102079

**Project Title:** Francisco Blvd. West Multi-Use Pathway: 2<sup>nd</sup> to Anderson (Major Amendment to Lake or Streambed Alteration Agreement No. 1600-2018-0041-R3)

**Project Location:** Project is located along Francisco Blvd. West Between 2<sup>nd</sup> Street and Anderson Drive in San Rafael, in the County of Marin. The approximate project centroid is Latitude 37.96639°N, Longitude 122.5175°W.

**Project Description:** The California Department of Fish and Wildlife (CDFW) has executed a Major Amendment to Lake and Streambed Alteration Agreement number 1600-2018-0041-R3 (Agreement), pursuant to section 1602 of the Fish and Game Code to the project Applicant, City of San Rafael, Department of Public Works.

The overarching project consists of the construction of a multi-use pathway from Anderson Drive to the existing San Rafael Creek pathway. In April 2020, the project was amended to reduce the length of sheetpile retaining wall from 1,314 to approximately 899 linear feet, remove the extension of an existing culvert at Irwin Street, and include the movement of an existing trash rack approximately 285 feet upstream.

This major amendment reduces the amount of habitat restoration and enhancement to mitigate impacts from the project. Due to previous reductions in project impacts, the total mitigation to impact ratio required in the Agreement has increased.

This is to advise that CDFW, acting as a Responsible Agency, approved the above described project on June 3, 2021, and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

1. The project will not have a significant effect on the environment. This determination is limited to effects within CDFW's permitting jurisdiction as a Responsible Agency.
2. CDFW considered the  mitigated negative declaration /  negative declaration prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. Mitigation measures  were /  were not made a condition of CDFW's approval of the project.
4. A mitigation reporting or monitoring plan  was /  was not adopted by CDFW for this project.
5. A statement of overriding considerations was not adopted by CDFW for this project.
6. Findings were not made by CDFW pursuant to California Code of Regulations section 15091.

The  mitigated negative declaration /  negative declaration prepared for the project is available to the general public at the office location listed above for the Lead Agency. CDFW's record of project approval as Responsible Agency is available at CDFW's regional office.

DocuSigned by:  
*Craig J Weightman*  
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Signature \_\_\_\_\_  
Craig J. Weightman, Environmental Program Manager

Date: 6/3/2021

Date Received for filing at OPR: \_\_\_\_\_